

FISCAL NOTE

SB 635 - HB 1357

April 3, 2007

SUMMARY OF BILL: Requires the House and Senate Judiciary Committees to study all aspects of capital punishment trials in Tennessee and report their findings and recommendations to the Governor and the General Assembly no later than January 15, 2008. Establishes a moratorium preventing execution of any person through April 15, 2008.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures – Net Impact - \$7,000 / Incarceration*
\$5,200 Each One Day Meeting**

Assumptions:

- Travel and per diem expenses for 19 legislative members of \$5,187 (\$153 per diem plus \$120 mileage each).
- Tennessee has executed two inmates in the past 47 years. One execution occurred in 2000, at a cost in excess of \$11,000. The second execution occurred in 2006, at a cost in excess of \$15,000.
- According to the Department of Correction, the average operating cost per inmate per day for calendar year 2007 is \$60.16. A moratorium on executions would increase state expenditures by \$21,973.44 (\$60.16 x 365.25 days) per year for each year that an inmate is housed in a state facility rather than being executed.
- The net impact on state expenditures for incarceration costs would be an increase in state expenditures of \$6,973.44 (\$21,973.44 - \$15,000).

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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